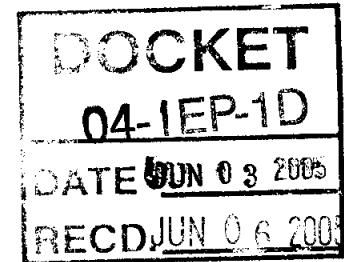


CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



June 3, 2005



Mr. Andrew B. Brown
Constellation NewEnergy
2015 H Street
Sacramento, CA 95814

Re: **Notice Of Confidential Information To Be Provided To California
Energy Commission Consultant, Docket No. 04-IEP-1D**

Dear Mr. Brown:

Constellation NewEnergy, Inc. (CNE) filed a series of forms and supporting work papers in accordance with the forms and instructions adopted by the California Energy Commission (Energy Commission) for use in the 2005 Integrated Energy Policy Report (IEPR) proceeding. CNE, as part of the filings, submitted applications for confidentiality for some of the information provided.

This letter is to inform you that all the information CNE provided the Energy Commission, whether granted confidentiality or information you requested to be kept confidential, will be provided to the Energy Commission's consultant in support of the IEPR process. This is being done pursuant to Title 20, California Code of Regulations, Section 2507(c)(2) which states in part:

"(c)The Executive Director may disclose records determined confidential pursuant to Section 2502 or Section 2506 to: (2) Persons under contract to the Commission whose work for the Commission requires inspection of the records and who agree in a contract to keep the records confidential;"

and Section 2507(f) which states in part:

"The Executive Director shall consult with the private third party to whom the confidential designation applies about disclosure under subsections (c) and (d) of this section."

Since Navigant is under contract to the Energy Commission, Navigant consultants will be under the direction of the Energy Commission's support staff for preparation of the 2005 IEPR. All appropriate Navigant employees have signed Non-Disclosure Agreements with the Energy Commission. It is our intent

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to provide the Navigant consultants with the confidential information on
Thursday, June 9, 2005.

If you have any further questions regarding this decision, please contact Thomas
Glaviano, Staff Counsel, at (916) 651-8893.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott W. Matthews', with a long horizontal flourish extending to the right.

SCOTT W. MATTHEWS
Acting Executive Director

cc: Gregory L. Wheatland

Docket Unit